

By: A. Strawn  
Introduced: March 6, 2023  
Public Hearing: March 20, 2023  
Action: FAILED

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION NO. 23-03**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING MSB 17.55 AND 17.80 TO ALLOW STRUCTURES TO BE BUILT WITHIN 75 FEET OF A WATERBODY.

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WHEREAS, a 75-foot waterbody setback was originally adopted in 1973 by assembly ordinance; and

WHEREAS, the setback was briefly lowered to 45 feet in 1986 and again increased to 75 feet by voter initiative in 1987; and

WHEREAS, since 1987 hundreds of homes have been constructed in violation of the 75-foot waterbody setback ordinance; and

WHEREAS, most of the construction went undetected due to the lack of any permitting requirement for development within the borough; and

WHEREAS, once violations are discovered, there are no easy or inexpensive remedies to the violation; and

WHEREAS, this ordinance allows structures to be built within 75 feet of a waterbody as long as they are built and designed in accordance with plans developed by an engineer, provide a soil analysis, and ensure protection of surface and subsurface water quality; and

WHEREAS, requiring a 75 foot setback for habitable structures without the requirement for a riparian buffer does not adequately protect water quality.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends approval of Assembly Ordinance 23-002.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 3rd day of April 2023.

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WILLIAM KENDIG, CHAIR

ATTEST

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KAROL RIESE, Planning Clerk

(SEAL)

YES: (1) Commissioner Kendig

NO: (5) Commissioner Rubeo, Commissioner Allen, Commissioner Scoggin, Commissioner Koan, Commissioner Glenn